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CHARLES ELMORE CROPLEY

No. 132

In the Supreme Court of the United States

OCTOBER TERM, 1941

LOCAL 807 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, STABLEMEN, AND HELPERS OF AMERICA, ET AL., PETITIONERS

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

MEMORANDUM FOR THE UNITED STATES

In the Supreme Court of the United States

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LOCAL 807 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, STABLEMEN, AND HELPERS OF AMERICA, ET AL., PETITIONERS

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

MEMORANDUM FOR THE UNITED STATES

The United States has filed a petition for a writ of certiorari (No. 131, this Term) to obtain review of the judgment of the Circuit Court of Appeals reversing the convictions of petitioners here (respondents in No. 131) under the Act of June 18, 1934, known as the Anti-Racketeering Act. The present petition prays for review of so much of the decision of the court below as denied the motion of the present petitioners to dismiss the indictment against them. The petition presents certain questions as to the construction and constitu-

tionality of the Anti-Racketeering Act and as to the validity of the indictment which are not directly presented by the Government's petition in No. 131. Although we do not believe that these questions would, of themselves, warrant the issuance of a writ of certiorari upon the petition of these petitioners, some of them are related to the questions presented in the Government's petition in No. 131 and all of the questions raised on both petitions may be conveniently disposed of together. Accordingly, if the petition in No. 131 is granted, the Government does not oppose the grant of this petition.

Respectfully submitted.

FRANCIS BIDDLE,
Solicitor General.

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